



Debevoise & Plimpton LLP  
919 Third Avenue  
New York, NY 10022  
+1 212 909 6000

August 15, 2022

The Hon. Valerie Caproni  
United States District Court  
Southern District of New York  
40 Foley Square, Room 240  
New York, New York 10007

***Nike, Inc. v. StockX LLC, No. 22 CV 00983 (S.D.N.Y.)***

Dear Judge Caproni:

Pursuant to the Court's April 11, 2022, Civil Case Management Plan and Scheduling Order (Dkt. No. 25), Plaintiff Nike, Inc. ("Nike") and Defendant StockX LLC ("StockX" and together with Nike, the "Parties") respectfully submit this joint letter to update the Court on the status of discovery.

The Parties are proceeding through fact discovery. Since our July update, StockX has served its Responses and Objections to Nike's Second Set of Requests for Production and Second Set of Interrogatories on July 18, 2022, and Nike has served its Responses and Objections to StockX's Second Set of Requests for Production and Second Set of Interrogatories on July 22, 2022. Nike also supplemented its Responses to StockX's First Set of Interrogatories on August 12, 2022. In addition, Nike served its Third Set of Requests for Production on July 25, 2022 and its Fourth Set of Requests for Production on August 12, 2022.

The parties continue to produce documents on a rolling basis. On July 29, 2022, StockX made its third production of documents to Nike. StockX has, to date, produced 11,035 documents to Nike. On August 5, 2022, Nike made its second production of documents to StockX, and on August 12, 2022, Nike made its third production of documents to StockX. Nike has, to date, produced 2,989 documents to StockX. The Parties still intend to substantially complete document production in August so that depositions can occur in September and October prior to the close of fact discovery. However, because StockX's responses and objections to Nike's Third Set of Requests for Production are not due until August 24, 2022, and its responses and objections to Nike's Fourth Set of Requests for Production are not due until September 12, 2022, StockX intends to complete production of documents responsive to those requests (RFP Nos. 217-239) in September.

The Parties continue to work together to resolve issues surrounding the scope of responses and objections to the Parties' respective discovery requests. While the Parties are working in good faith to reach negotiated resolutions of these issues, certain disputes may require the assistance of the Court prior to the next scheduled status update.

The Parties thank the Court for its attention to this matter.

The Hon. Valerie Caproni

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Respectfully submitted,

/s/ Tamar Y. Duvdevani

Tamar Y. Duvdevani  
Andrew J. Peck  
Marc E. Miller  
Jared Greenfield  
**DLA Piper LLP (US)**  
1251 Avenue of The Americas, 27th Fl.  
New York, NY 10020  
Telephone: (212) 335-4500  
Facsimile: (212) 335-4501

Michael Fluhr  
**DLA Piper LLP (US)**  
555 Mission Street, Suite 2400  
San Francisco, CA 94105  
Telephone: (415) 836-2500  
Facsimile: (415) 836-2501

*Attorneys for Plaintiff Nike, Inc.*

/s/ Megan K. Bannigan

Megan K. Bannigan  
David H. Bernstein  
Jyotin Hamid  
Justin C. Ferrone  
Kathryn C. Saba  
**Debevoise & Plimpton LLP**  
919 Third Avenue  
New York, New York, 10022  
Telephone: (212) 909-6000

Christopher S. Ford  
**Debevoise & Plimpton LLP**  
650 California Street  
San Francisco, CA 94108  
Telephone: (415) 738-5700

David Mayberry  
Rob Potter  
**Kilpatrick Townsend & Stockton LLP**  
1114 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 775-8733

Jeffrey B. Morganroth  
**Morganroth & Morganroth, PLLC**  
344 N. Old Woodward Ave, #200  
Birmingham, MI 48075  
Telephone: (248) 864-4001

*Attorneys for Defendant StockX LLC*